

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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A.P.,

ORDER

Plaintiff,

18-CV-4661 (KAM) (PK)

-against-

UNITED STATES OF AMERICA,
CARLOS MARTINEZ, EUGENIO PEREZ,
JOSEPH NORWOOD, KIMBERLY ASK-CARLSON,
HERMAN QUAY, TOMAS RODRIGUEZ,
D'ANELLO SMITH, ANDY CRUZ,
JERMAIN DARDEN, OFFICER GUAPA, and
JOHN/JANE DOES 1-10,

Defendants.

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WHEREAS, Plaintiff has asserted claims against Defendants in the above-captioned case arising out of alleged sexual assaults by Defendants Carlos Martinez and Eugenio Perez in 2015 and 2016;

WHEREAS, Defendant Eugenio Perez answered the complaint on March 8, 2019, and the amended complaint on July 16, 2019, but did not assert any counterclaims or crossclaims in his answers;

WHEREAS, Plaintiff has subsequently dismissed or resolved her claims with all other Defendants, and has attempted to voluntarily dismiss her claims against Defendant Eugenio Perez pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), but has not received a signed copy of the stipulation of dismissal or any

other response from Defendant Eugenio Perez regarding the Plaintiff's dismissal of her claims against him;

IT IS HEREBY ORDERED that, as requested by Plaintiff A.P. in her letter filed on December 15, 2023, all claims asserted by Plaintiff A.P. against Defendant Eugenio Perez in the above-captioned action are dismissed with prejudice, and without costs to any party, pursuant to Fed. R. Civ. P. 41(a)(2).

Plaintiff is respectfully directed to serve a copy of this Order on Defendant Eugenio Perez and note service on the docket no later than April 12, 2024.

SO ORDERED

Dated: April 5, 2024
Brooklyn, New York

APR 11 2024

HON. KIYO A. MATSUMOTO
United States District Judge
Eastern District of New York

David D. Price